



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/863,352

05/24/2001

Masaru Sugano

010661

1126

38834

7590

05/31/2006

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

HOSSAIN, FARZANA E

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 09/863,352	Applicant(s) SUGANO ET AL.	
Examiner Farzana E. Hossain	Art Unit 2623	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 April 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: In regards to arguments on pages 1-2, applicant argues that claim 10 specifies "(1) identifying multiple items of original audio/video contents; (2) identifying slide components of an audio/video slide composed of important portions of the multiple items of original audio/video contents and (3) providing a description of the slide components.

Regarding the argument for the first element, the applicant discloses that the representative frames of different programs are disclosed in Figure 9. Sezan discloses that there are different representative frames or multiple items of programs (Figure 9, bottom - several shots, Figures 7 and 8). Sezan can provide multiple programs from which frame views are selected. Sezan discloses selecting a program or original audio/video contents and then selecting representative frames or multiple items of important frames (Column 14, lines 7-34).

Regarding argument for second element, applicant argues that the rejection relates on key frame views of Figure 9 to teach the slide components of an audio/video slide. Applicant's specification recites, "This is the procedure for describing slide component for the first shot or scene,.....the description about temporal segments in the original content is added to the description of the slide components of audio/video slide, but the separate files may be added instead of temporal segments." Sezan discloses separate files added to the description of the slide components or identifying slide components of an audio/video slide composed of single or multiple important portions of the multiple items of original audio/video contents (Figure 9, Column 14, lines 7-34).

Regarding the argument for the third element, Sezan discloses that the key frame views have description or summary (Figure 9, Summary, Column 15, lines 55-58, Column 16, lines 5-35).

Regarding argument to Claim 11, Sezan discloses slide components of frame view (Figure 9, Column 14, lines 7-34) or shot view (Figure 8, Column 14, lines 7-34) are single or multiple segments included in the original audio/video contents, and information about the segment is described sequentially (Column 14, lines 7-34, Column 15, Column 16, lines 5-35). Sezan discloses the important portions are the key segments of the different programs (Figure 8, Figure 9, Figure 10).

Regarding arguments to Claim 16, Sezan discloses playback of the program (Column 12, lines 10-16).


Regarding arguments to Claim 17, Sezan discloses displaying the title (Figure 9) and contains clip information (Column 16, lines 5-35), which reads on the claim. The claim does not specify other details other than attribute information.

Regarding arguments to Claim 19, See above comments to Claim 1. Sezan discloses displaying the description of the slide components (lower portion, Figure 9).

Regarding arguments to Claim 20, See above comments to Claim 2.

Regarding arguments to Claim 23-27, See above comments for Claims 11, 16, 17, 19. Office Action points to Claims 18 and 19. Sezan discloses displaying attribute data (Figure 9, Column 14, lines 7-34) describing the corresponding original audio/video content by using description data of audio/video slide components during playback of audio/video slide (Figure 9, Column 12, lines 10-16, Column 9, lines 65-67, Column 10, line 1).

The Office has considered all of the applicant's arguments. Sezan's invention reads on the claims.


CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600